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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|---|---------------------|------------------|
| 09/940,048 | 08/27/2001 | Gerardus Vincentius Johannes Van Den Berg | NL 000459 | 4460 |
| 24737 | 7590 | 04/26/2005 | EXAMINER | |
| PHILIPS INTELLECTUAL PROPERTY & STANDARDS | | | ABELSON, RONALD B | |
| P.O. BOX 3001 | | | ART UNIT | |
| BRIARCLIFF MANOR, NY 10510 | | | PAPER NUMBER | |
| | | | 2666 | |

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/940,048

Applicant(s)

VAN DEN BERG, GERARDUS
VINCENTIUS JOHAN

Examiner

Ronald Abelson

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2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/02 & 8/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Moller (GB 2,287,610).

Regarding claims 1 and 9, Moller teaches a communications system (fig. 1) voice and/or data (fig. 1, voice communication, pg. 11 2nd paragraph), having at least one user terminal (fig. 1 ext. 23, 24), a facility providing processing device (fig. 1 box P) coupled thereto for connecting the user terminals and an intervening network (fig. 1 box PTN₁) for interconnection of the processing device and a remote user terminal (fig. 1 box T₁), characterized in that the intervening network is arranged for conveying at least facility related signals, and that the processing device is equipped for allowing its facilities to be used by the remote user terminal (pg. 2 last paragraph, pg. 4 last paragraph).

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Regarding claim 2, the communication system is arranged for processing facility related signals during an active connection between the remote user terminal and another user terminal (conference calls, pg. 4 last paragraph).

Regarding claim 3, the communication system characterized in that the intervening network supports a signaling protocol for conveying the facility related signals (control means allowing the remote phone to send control signals through the public system, pg. 5 lines 3-10).

Regarding claim 4, the communication system characterized in that the facility providing processing device is arranged to have the facilities implement by software and/or hardware (control means, mechanically/electrically, pg. 5 1st paragraph).

Regarding claim 5, the communication system characterized in that at least part of the facility related signals is arranged to select facilities requested by the remote user terminal (remote telephone to make use of the private system's facilities, pg. 4 last paragraph).

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Regarding claim 6, the communication system characterized in that either voice-like signals, e.g. DTMF control signals, FSK signals and the like, and/or end-to-end signals, e.g. user-to-user signaling are used for enabling the facilities of the processing device to the remote user terminal (control signals, pg. 5 1st paragraph, pg. control signal, audio tones, Recall button, pg. 6).

Regarding claim 7, the communication system characterized in that the facilities may comprise call forwarding (pg. 4 last paragraph).

Regarding claim 8, the communication system characterized in that the processing device and/or user terminal comprises a voice signal transmitter and/or receiver (fig. 1 ext. 23).

Regarding claim 9, in addition to the limitations previously addressed, a telephone system (fig. 1 public telephone network).

Prior Art of Record

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3. Farris (US 6,721,306) teaches the invention as described in claim 1.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (571) 272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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RA
Ronald Abelson
Examiner
Art Unit 2666


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TECHNOLOGY CENTER 2666 *4/21/05*